IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

CONTEMPT PETITION NO.39 OF 2005

IN

NOTICE OF MOTION NO.1156 OF 2001

IN

SUIT NO.1605 OF 2001

...

Dr.Manjuladevi Mistry & ors. ...Petitioners

v/s.

Smt.Sarladevi Mandanlal Mistry
and or. ...Respondents

...

Mr.V.R.Dhond with Mr.B.B.Saraf i/b Nankani & Associates for the Petitioners.
Ms.J.M.Sidhwa i/b Manoj Bhatt for Respondent No.1.
Mr.Tushar Bhavsar i/b Manoj Bhatt for Respondent No.2.

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CORAM: D.K.DESHMUKH, J.

DATED: 8TH MARCH,2007

P.C.:

1. The learned Counsel appearing for the Respondent No.1 after taking instructions from the Respondent No.1 who is present in court states that it is the Receiver appointed by this court who is in charge of Account No.19641 with the Bank of India, Kalbadevi Branch and she further states that according to her instructions an amount in excess of Rs.1,80,000/- is lying in that account. She further states that the Respondent No.1 has no objection to the Receiver closing that account and investing the entire amount lying in that account in the fixed deposit in a nationalised bank during the pendency of Suit No.1605 of 2001.

Statement is accepted.

In view of this statement the court Receiver is

directed to take steps to close Account No.19641 with the Bank of India, Kalbadevi Branch and to deposit that amount in a fixed deposit in a nationalised bank during the pendency of Suit No.1605 of 2001. The Receiver shall complete this within a period of three weeks from today.

2. The learned Counsel appearing for the Respondent No.1 after taking instructions from the Respondent No.1 states that she will deposit within a period of four weeks from today with the Receiver an amount of Rs.2,15,000/- (Rupees Two lakh Fifteen thousand only) with interest at the rate of 9% p.a. from 1-7-2004.

Statement is accepted.

3. The Receiver is directed to invest the amount received from the Respondent No.1 as per the above statement in fixed deposit in a nationalised bank during the pendency of Suit No.1605 of 2001.

In view of the above statements and the directions issued by the court, by consent of parties contempt petition is disposed of.

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